

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 3-5, 8, 11 and 12 are pending, with claims 2, 6, 7, 9 and 10 having previously been cancelled. Claim 13 is cancelled without prejudice or disclaimer, and claim 1 is amended to incorporate the elements of cancelled claim 13. No new matter is added.

II. Allowable Subject Matter

Applicants thank the Examiner for indicating that claim 13 is objected to as being dependent on rejected base claim 1, but would be allowable if rewritten in independent form to include all of the limitations of independent (base) claim 1. Applicants cancel claim 13 without prejudice or disclaimer, and amend independent claim 1 to incorporate the elements of cancelled claim 13. As claim 13 is canceled, Applicants submit that the objection to claim 13 is thereby moot.

III. Rejections under 35 U.S.C. § 103

Claims 1, 8 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 4,257,830 to Tsuya et al. ("Tsuya"). Claims 3 – 5 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuya in view of U.S. Pat. Pub. No. 2005/0012652A1 to Wakayama et al. ("Wakayama").

In the interests of prosecution efficiency, and without admitting the propriety of the present rejections under 35 U.S.C. § 103(a), Applicants amend independent claim 1 to incorporate the

elements of canceled claim 13, which formerly depended directly from independent claim 1. In the present Office Action, claim 13 was identified by the Examiner as claiming allowable subject matter. Applicants submit that amended independent claim 1 (including the elements of canceled but allowable claim 13) is therefore allowable for at least this reason. As claims 3 – 5, 8, 11 and 12 depend either directly or indirectly from allowable independent claim 1, Applicants further submit that dependent claims 3 – 5, 8, 11 and 12 are also allowable for at least this reason.

Applicants therefore respectfully request that the rejection of claims 1, 3-5, 8, 11 and 12 under 35 U.S.C. §103(a) be withdrawn.


CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

By 
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